

Hate Crimes

319.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

319.1.1 DEFINITIONS

Definitions related to this policy include:

Hate crime - A crime motivated by prejudice based on the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, disability or homelessness of the victim.

319.2 POLICY

The Easton Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitutions and incorporated in state and federal law.

319.3 PREVENTION AND PREPARATION

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by:

- (a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes, and forming networks that address prevention and response.
- (b) Providing victim assistance, community follow-up or identifying available resources.
- (c) Educating community and civic groups about hate crime laws.

319.4 INVESTIGATIONS

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- (a) Assigned officers should promptly contact the victim, witness or reporting party to investigate the matter further, as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable. The supervisor shall notify the Criminal Investigation Unit.
- (c) Once the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene,) the assigned officers should take reasonable steps to preserve evidence that establishes a possible hate crime.
- (d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.
- (e) Depending on the situation, the assigned officers or supervisor may request assistance from other resources.

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- (f) The assigned officers should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- (g) The assigned officers should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.
- (h) The assigned officers should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked "Hate Crime" and include the following information:
 - 1. Details describing the events that occurred, the investigation conducted, and reasons which lead the investigator to believe it was a bias incident.
 - 2. Whether any physical debris has been removed or uncovered.
 - 3. Whether the incident involves an organized hate group.
 - 4. Whether the victim recently moved to the area.
 - 5. Whether the victim had been associated with past or recent activities relating to RRE or SO.
 - 6. Whether the victim was involved in the past or repeated attacks of a similar nature, and whether those incidents were documented.
 - 7. Whether the victim is the only RRE/SO group member in the neighborhood or one of a few.
 - 8. Whether multiple incidents occurred, and if all the victims were members of the same RRE/SO group.
 - 9. The victim's perception as to why this incident occurred.
 - 10. Whether the victim indicates they do not want the media given access to information revealing the possible motivation for the incident.
 - 11. Full data on the materials used (e.g., cross, literature, paint, etc.) including size, construction, wrappings, messages, plus the method of removal and the disposition of the remains.
 - 12. Whether any community leaders were contacted or were at the scene.
 - 13. The time the supervisor and CID were notified.
- (i) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid protective order through the courts.

319.4.1 CRIMINAL INVESTIGATIONS UNIT RESPONSIBILITIES

Hate Crimes investigations will be assigned to the Criminal Investigations Unit. The assigned investigator will be responsible for:

- (a) Respond to the scene of any suspected Hate Crime.
- (b) Photograph and process the scene..

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- (c) Gather and take custody of related evidence.
- (d) Report the incident to the Maryland State Police as required by law.
- (e) Coordinating further investigation with the States Attorney and other appropriate law enforcement agencies.
- (f) Maintaining contact with the victim and other involved individuals, as needed.
- (g) Maintaining statistical data and tracking of suspected hate crimes, as indicated or required by state

319.4.2 SPECIAL OPERATIONS COMMANDER

- (a) Ensure the investigation is actively pursued to a successful conclusion or until all leads have been exhausted.
- (b) Ensure the investigation is given priority by the investigating personnel.
- (c) Make personal contact with the victims if the severity of the case (as measured by the enormity of the crime, the impact upon the community, etc.) dictates this action.
- (d) Maintain contact with community leaders concerning the investigation.
- (e) Ensure the words and/or symbols that cannot be carried away have been covered or eliminated, as soon as possible.
- (f) Ensure the victims and other concerned parties are informed of a case clearance.
- (g) Ensure the Public Information Officer is apprised of such incidents, clearances, and any other information which may be of interest to the media.
- (h) Coordinate efforts with the Bike Patrol Unit, as necessary.

319.5 TRAINING

All members of this department should receive training on hate crime recognition and investigation.